

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 09-00371-01-CR-W-DGK
)
CARL E. LUCAS,)
)
Defendant.)

ORDER

Pending before the Court are Defendant's Motion to Dismiss Indictment and Supplemental Motion to Dismiss Indictment (Docs. 24 & 74), the Government's responses (Docs. 29 and 76), United States Magistrate Judge Robert E. Larsen's Report and Recommendation recommending that the motions be denied (Doc. 77), and Defendant's objections to the Report and Recommendation (Doc. 78).

After carefully reviewing the Magistrate's report and conducting an independent review of the record and applicable law, it is hereby ORDERED that Magistrate Judge Larsen's Report and Recommendation be ADOPTED. Defendant's motions to dismiss (Docs. 24 & 74) are hereby DENIED.

IT IS SO ORDERED.

Date: September 17, 2012

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT